UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/643,584	08/22/2000	Eric Schneider		9982

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EXAMINER
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ART UNIT	PAPER NUMBER
2155	4

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Office Action Summary	09/643,584	SCHNEIDER ET AL.
	Examiner	Art Unit
	Philip B Tran	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _11 December 2000_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _22 August 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____ .

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the first paragraph of 35 U.S.C. § 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The analysis under 35 U.S.C. 112, first paragraph, requires that the scope of protection sought be supported by the specification disclosure. The pertinent inquiries include determining (1) whether the subject matter defined in the claims is described in the specification and (2) whether the specification disclosure as a whole is to enable one skilled in the art to make and use the claimed invention.

(1) Claims 6-14 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The "invention" for the purpose of the first paragraph analysis is defined by the claims. The description requirement is simply that the claimed subject matter must be described in the specification. The function of the description requirement is to ensure that the applicant had possession of the invention on the filing date of the application. The application need not describe the claim limitations exactly, but must be sufficiently clear for one of ordinary skill in the art to recognize that the applicant's invention encompasses the recited limitations. The description requirement is not met if the application does not expressly or inherently disclose the claimed invention.

Specification does not explicitly describe nor is sufficiently clear for one of

ordinary skill in art to recognize the following steps as recited in claims 6-14 :

· generating a valid **third URI** that corresponds to said second URI and

accessing said third URI.

. accessing said **third URI** includes the step of accessing content from said

second URI.

. the string length of said **third URI** is less than the string length of said second

URI.

. redirecting said **third URI** to said second URI and generating a frame in the

content of said third URI that corresponds to said second URI.

. redirecting said **third URI** to said second URI further includes the step of

delaying said redirection to display advertising that corresponds to URI components.

. said **third URI** is of the minimum form "scheme://SLD.TLD/FLD/index.htm"

whereby SLD.TLD is a domain name, FLD is a first level directory path, and index.htm

is a default file.

. generating said **third URI** further includes the steps of determining whether said

FLD and said default file exists and creating said FLD and said default file in response

to determining that said FLD and said default file does not exist.

. creating said default file further includes the step of corresponding said default

file to said second URI.

. said **third URI** is of the minimum form "scheme://3LD.SLD.TLD/index.htm"

whereby, 3LD is a subdomain.

Claims 6-14 are unclear that the one ordinarily skilled in the art cannot recognize the encompassed claim limitations. Especially, limitation of claim 6 is not found supported by the specification of this instant application. Claims 7-14 are dependent on claim 6 and thus are unclear how they would have been encompassed as well.

(2) Claims 6-14 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The enablement requirement necessitates a determination that the disclosure contains sufficient teaching regarding the subject matter claimed as to enable one skilled in the pertinent art to make and use the claimed invention. In essence, the scope of enablement provided to one ordinarily skilled in the art by the disclosure must be commensurate with the scope of protection sought by the claims.

Currently, the most prevalent standard for measuring sufficient enablement to meet the requirements of 112 is that of "undue experimentation". The test is whether, at the time of the invention, there was sufficient working procedure for one skilled in the art to practice the claimed invention without undue experimentation. It is important to note that the test of enablement is not whether any experimentation is necessary, but whether, if experimentation is necessary, is it undue. An skilled artisan is given sufficient direction or guidance in the disclosure. Moreover, the experimentation required, in addition to not being undue, must not require ingenuity beyond that expect of one of ordinary skill in the art.

Undue experimentation and ingenuity would be required beyond one ordinarily skilled in the art to practice the following steps as recited in claims 6-14 :

· generating a valid **third URI** that corresponds to said second URI and accessing said third URI.

. accessing said **third URI** includes the step of accessing content from said second URI.

. the string length of said **third URI** is less than the string length of said second URI.

. redirecting said **third URI** to said second URI and generating a frame in the content of said third URI that corresponds to said second URI.

. redirecting said **third URI** to said second URI further includes the step of delaying said redirection to display advertising that corresponds to URI components.

. said **third URI** is of the minimum form "scheme://SLD.TLD/FLD/index.htm" whereby SLD.TLD is a domain name, FLD is a first level directory path, and index.htm is a default file.

. generating said **third URI** further includes the steps of determining whether said FLD and said default file exists and creating said FLD and said default file in response to determining that said FLD and said default file does not exist.

. creating said default file further includes the step of corresponding said default file to said second URI.

. said **third URI** is of the minimum form "scheme://3LD.SLD.TLD/index.htm" whereby, 3LD is a subdomain.

Undue experimentation would be needed to generate **a valid third URI** that

corresponds to the second URI while the second URI having a query component that

corresponds to the non-query URI component of the first URI and then accessing the

third URI.

Claim Rejections - 35 U.S.C. § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

3.   Claims 1-5 and 15-20 are rejected under 35 U.S.C. § 102(e) as being anticipated

by Smith et al (Hereafter, Smith), U.S. Pat. No. 6,578,078.

Regarding claim 1, Smith teaches a method for locating a network resource from

a first identifier comprising the steps of :

determining whether the first identifier is accessible and accessing the first

identifier in response to determining that the first identifier is accessible (i.e., browsing a

URL and determining if the URL is accessible by not having been redirected then

accessing and displaying the page) [see Fig. 4 and Col. 15, Lines 24-27 and Col. 15,

Lines 52-60] ;

generating a second identifier in response to determining that the first identifier is

not accessible, wherein said second identifier is generated by retrieving to information

from one of a registry, template, GO LIST, name translation table, and user modifiable

configuration settings, and, accessing said second identifier in response to generating

said second identifier (i.e., determining if the URL is not accessible by having been

redirected then extracting redirected information from the redirected page and display

the page) [see Fig. 4 and Abstract and Col. 15, Lines 24-51].

Regarding claims 2-3, Smith further teaches a method, as set forth in claim 1,

further including the step of inputting the first identifier from a user interface element by

inputting the first identifier into one of a browser location field, text box, command line,

and speech to text interface (i.e., user browses a URL by typing in the URL) [see Col.

15, Lines 24-25].

Regarding claim 4, Smith further teaches a method, as set forth in claim 1,

wherein the first identifier is a valid first Uniform Resource Identifier (URI) and said

second identifier is a valid second URI (i.e., first URL is valid and accessible while the

content of first URL is not available then redirect mechanism will lead to second valid

URL where the content is accessible) [see Col. 15, Lines 24-60].

Regarding claim 5, Smith further teaches a method, as set forth in claim 4,

further including the steps of determining whether said first URI is accessible, accessing

said first URI in response to determining that said first URI is accessible, parsing at least one non-query URI component from said first URI in response to determining that said first URI is not accessible, generating said second URI having a query component that corresponds to said non-query URI component of said first URI, and accessing said second URI [see Col. 13, Line 25 – Col. 14, Line 7 and Col. 15, lines 24-60].

Regarding claim 15, Smith teaches a method for locating a network resource from a first identifier having a valid accessible first URI comprising parsing at least one non-query URI component from the first URI, generating a valid accessible second URI having a query component that corresponds to said non-query URI component of the first URI, and accessing the first URI and said second URI [see Col. 13, Line 25 – Col. 14, Line 7 and Col. 15, Lines 24-60].

Regarding claim 16, Smith further teaches a method, as set forth in claim 15, wherein said non-query URI component of the first URI and said query component of said second URI is a domain identifier [see Figs. 9A-9B and Col. 3, Line 49 – Col. 4, Line 23 and Col. 12, Lines 36-56 and Col. 21, Lines 10-14].

Claims 17-18 are rejected under the same rationale set forth above to claims 2-3.

Claim 19 is rejected under the same rationale set forth above to claim 1. In addition, Smith further teaches a processor (i.e., processing unit 122), a memory coupled to said processor (i.e., system memory 122) [see Fig. 6] and a browser type program (i.e., a web browser program) [see Abstract and Col. 6, Lines 12-32].

Claim 20 is rejected under the same rationale set forth above to claim 19.

Other References Cited

4.   The following references cited by the examiner but not relied upon are considered pertinent to applicant's disclosure.

  A) Kirsch et al, U.S. Pat. No. 6,189,030.

  B) Belfiore et al, U.S. Pat. No. 6,009,459.

  C) Ho, U.S. Pat. No. 6,148,342.

5.   A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS, OR THIRTY DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (703) 308-8767. The Group fax phone number is (703) 746-7239.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached on (703) 308-6662.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

PBT

Philip B. Tran
Art Unit 2155
Aug 20, 2003

HOSAIN T. ALAM
PRIMARY EXAMINER